

## **THE BOARD OF EXAMINERS OF PSYCHOLOGY MINUTES**

February 6, 2006

A regular meeting of the Board of Examiners of Psychology was held at the Division of Occupations and Professions, 911 Leawood Drive, Frankfort, Kentucky on February 6, 2006.

### **MEMBERS PRESENT**

S. Abby Shapiro, Ph.D., Vice Chair  
Andrew A. Meyer, Ph.D.  
Richard Applegate, M.A.  
Barbara Kay Jefferson, Ph.D.  
John C. Runyon, M.S.  
Andrew B. Jones, Jr., Ph.D.  
Diane Sobel, Ph.D.

### **OCCUPATIONS & PROFESSIONS STAFF**

Wendy Satterly, Board Administrator  
John C. Parrish, Director

### **OTHERS PRESENT**

Mark Brengelman, Assistant Attorney General

### **MEMBERS ABSENT**

Henry S. Davis, Ph.D., Chair

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### **CALL TO ORDER**

S. Abby Shapiro, Ph.D., Vice Chair called the meeting to order at 11:00 a.m.

### **MINUTES**

The minutes of the January 9, 2006, meeting were called to the attention of the members. A motion was made by Dr. Sobel to approve the minutes, as amended. Motion, seconded by Mr. Applegate, carried.

### **FINANCIAL STATEMENT**

The Board reviewed the financial statement indicating a balance of \$250,176.25 as of January 31, 2006. A motion was made by Mr. Runyon to accept the financial statement, as presented. Motion, seconded by Dr. Meyer, carried.

### **DIRECTOR'S REPORT**

Mr. Parrish informed the Board that the Governor's office would be forthcoming with a replacement for Ruth Bauman who resigned her position as public member of the Board due to health concerns.

Mr. Parrish notified the Board that staff would be forwarding a list of licensees of the Board of Examiners of Psychology to the Kentucky Higher Education Assistance Authority (KHEAA) as part of an agreement to comply with KRS 164.772, which governs the licensing of student loan borrowers in an effort to collect delinquent or defaulted student loans.

Mr. Parrish informed the Board that in the proposed biennium budget currently before the Legislature that \$50,000 is slated to be taken from Board's cash balance for fiscal year 2007. A motion was made by Mr. Runyon requesting that Dr. Shapiro, as Vice Chair of the Board, draft a letter to the Chair of the House Appropriations and Revenue Committee asking that the money not be taken from the Board's funds. Motion, seconded by Dr. Jefferson, carried.

### **COMPLAINTS**

Case 01-13 – A motion was made by Dr. Jefferson to file an initiating complaint in this matter. Motion, seconded by Mr. Runyon, carried. Drs. Shapiro, Sobel, and Mr. Applegate recused from voting on the motion.

Case 05-10 – A motion was made by Mr. Runyon to file a Formal Complaint and Notice of Administrative Hearing in this matter. Motion, seconded by Dr. Jefferson, carried. Drs. Shapiro, Sobel, and Mr. Applegate

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recused from voting on the motion.

Case 05-16 – A motion was made by Mr. Runyon to draft an Order from the Board ordering the psychologist to respond to the initiating complaint in this matter within forty-five days of receipt of the Order. Motion, seconded by Dr. Jefferson, carried. Drs. Shapiro, Sobel, and Mr. Applegate recused from voting on the motion. Mr. Brengelman agreed to draft the Board Order.

Case 05-17 – The Board reviewed an investigative report upon summary by the Complaints Screening Committee with the assistance of counsel. A motion was made by Mr. Runyon to dismiss the complaint for lack of evidence to support a violation of the law and regulations, with a letter to the psychologist voicing the Board's concerns in the matter. Motion, seconded by Dr. Meyer, carried. Drs. Shapiro, Sobel, and Mr. Applegate recused from voting on the motion.

Case 05-20 – Mr. Brengelman informed the Board that he had been served and that Ms. Satterly was going to be served with a subpoena to appear before Calloway District Court in the matter. He stated that after contacting the County Attorney, he had been released from testifying in the matter and that Ms. Satterly would be subpoenaed as to the certification of records. The Board requested that Mr. Brengelman accompany Ms. Satterly to the trial for the Board. A motion was made by Mr. Runyon to pay travel expenses for Mr. Brengelman and Ms. Satterly to attend the trial. Motion, seconded by Dr. Jefferson, carried.

Case 05-21 – The Board reviewed an initiating complaint and a response from the psychologist upon summary by the Complaints Screening Committee with the assistance of counsel. A motion was made by Mr. Runyon to open an investigation in this matter. Motion, seconded by Dr. Meyer, carried. Drs. Shapiro, Sobel, and Mr. Applegate recused from voting on the motion.

Case 05-22 – The Board reviewed a response from an uncredentialed individual upon summary by the Complaints Screening Committee with the assistance of counsel. A motion was made by Dr. Jefferson to dismiss the complaint for lack of evidence to support a violation of the law and regulations. Motion, seconded by Dr. Meyer, carried. Drs. Shapiro, Sobel, and Mr. Applegate recused from voting on the motion.

The Board reviewed a brochure prepared by a Kentucky Licensed Professional Clinical Counselor advertising the use of "psychological" approaches through Christian counseling services. A motion was made by Dr. Meyer to draft an Affidavit to the individual asking that he remove the term "psychological" from the brochure as protected by KRS 319. Motion, seconded by Mr. Runyon, carried. The Board requested that Mr. Brengelman draft the Affidavit.

## **COMMITTEE REPORTS**

### **CONTINUING EDUCATION COMMITTEE**

No Report

### **EXAMINATION COMMITTEE**

The next oral examinations are scheduled for Friday, February 24, 2006.

### **SUPERVISION COMMITTEE**

Mr. Runyon presented for the Board's review correspondence from Harwell F. Smith, Ph.D. informing the Board that he was now serving as supervisor for John W. Balchunas. The Board requested that the Committee draft a letter to Dr. Smith and Mr. Balchunas informing them that a co-signed letter would need to be submitted requesting a supervisory arrangement along with the required Supervisory Plans and Goals Form and that this request should have been forwarded to the Board office thirty (30) days before the effective date of the change.

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Correspondence was reviewed from Catherine Aponte asking that she be given additional time, beyond her renewal date to complete the Advanced Supervision course in order to supervise psychological associates/certified psychologists. The Board requested that Mr. Runyon draft correspondence notifying Dr.

Aponte that the law and regulations do not allow for a grace period to obtain the training and that she would need to complete the training by February 28, 2006.

### **CREDENTIALS REVIEW COMMITTEE**

Dr. Jefferson presented for the Board's review correspondence and email from Timothy Hill, Psy.D. regarding re-taking the EPPP and his temporary license to practice as a psychologist. The Board requested that the Credentials Review Committee draft correspondence informing Dr. Hill that his temporary license would be extended to March 8, 2006, at which time he would either have to pass the EPPP or his temporary license would be considered terminated. Also, at that time, he would need to submit the Report of Post Doctoral Experience Form documenting supervision from January 12, 2005 through March 8, 2006. Depending on the number of post doctoral hours completed, upon passing the EPPP, his temporary license could be reinstated for one year to complete his post doctoral experience and take and pass the oral examination.

Dr. Jefferson presented for the Board's review correspondence and email from Donald McNary, Psy.D. regarding the termination of his temporary license and termination of employment. The Board requested that the Credentials Review Committee review the file to document a timeline of events and provide a summary of the circumstances in this matter in order to present a recommendation for action to the full Board at its meeting on March 6, 2006.

### **DISCIPLINED PSYCHOLOGISTS REPORT**

Mr. Applegate informed the Board that Michael Nicholas, Ph.D. had agreed to provide supervision for Donna Nichols Rogers, Ph.D., previously sanctioned psychologist. The Board requested that staff draft the appropriate letters and provide the Settlement Agreement and supervision forms as requested by Mr. Applegate to both supervisor and supervisee.

Dr. Brinley, Ph.D., previously sanctioned psychologist is requesting to reinstate her license. Dr. Sobel agreed to serve as case manager in this matter and draft correspondence to Dr. Brinley outlining the steps required by the Settlement Agreement entered into with the Board to reinstate her license.

### **EXPIRED LICENSURE/CERTIFICATE REPORT**

The Board reviewed a list of licensed psychologists/certified psychologists whose license/certificate had expired and had not been renewed within the ninety (90) day grace period. A motion was made by Mr. Applegate to send a "certified letter" to each individual notifying them that their license/certificate was being cancelled and that in order to be reinstated would need to submit the appropriate renewal fee plus a penalty fee of \$100. Motion, seconded by Dr. Sobel, carried.

### **OLD BUSINESS**

Dr. Jones presented for the Board's review the edited application form for the Approval of Sponsors of Continuing Education for Psychologists. The Board requested that staff forward a final copy with the edits by email to each Board member for review.

The Ad Hoc Committee for the written jurisprudence exam met after the January Board meeting. Mr. Applegate was named chair. A procedure for generating and editing items was established. Due to unforeseen circumstances, items had not been generated as quickly as initially anticipated but progress continues.

Dr. Sobel, a member of the Ad Hoc Committee to develop criteria for sexual misconduct training informed the Board that the Committee met after the Board meeting on January 9, 2006.

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The Board discussed the Annual Board Retreat to be held July 20-21, 2006. Topics for discussion at the retreat will be developing criteria and a training video for Board members and Investigators in dealing with complaints involving sexual misconduct. The Ad Hoc Committee suggested that the Board enlist the

services of a nationally known speaker with training in this area for presentation at the retreat. The Board requested staff explore hotel options for having the retreat near the major airports of Louisville or Lexington in order to accommodate such a speaker. The Board also reviewed email from Ms. Ellis, Fiscal Manager regarding the cost of taping services provided through the Division of Creative Services. The Board, by consensus, approved using their services at the retreat.

The Board reviewed the draft of the upcoming spring Board Newsletter. After edits and insertion of additional articles, the Board requested that staff mail the newsletter to all licensees and make a copy available on the Board's web site.

### **NEW BUSINESS**

Correspondence was reviewed and noted from Catherine Yarrow, MBA, Ph.D. President with ASPPB regarding the recently approved ASPPB/National Register Criteria for Defining a Designated Postdoctoral Program in Psychopharmacology.

An announcement was reviewed and noted from ASPPB naming Barbara VanHorne as Director of Professional Affairs.

Memoranda was reviewed and noted from Janet Pippin, ASPPB regarding the reporting of all public disciplinary actions in the ASPPB Disciplinary Data System including reprimands.

The Board reviewed information regarding the 2006 ASPPB Midyear Meeting to be held April 20-24, 2006 in Sandestin, Florida. A motion was made by Dr. Jefferson to approve travel expenses to the meeting for Drs. Shapiro and Jones, Ms. Satterly, and Mr. Brengelman. Motion, seconded by Mr. Runyon, carried.

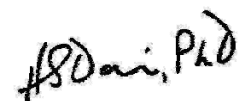
Correspondence was reviewed from Abbie O. Beacham, Ph.D. requesting clarification of supervision for practicum students. Dr. Shapiro agreed to draft correspondence for the Board in this matter.

A motion was made by Mr. Runyon to approve payment of travel expenses and per diem compensation for eligible members in attendance at today's meeting. Motion, seconded by Dr. Meyer, carried.

The next scheduled Board meeting is to be held on Monday, March 6, 2006 at 10:00 a.m. at the Board offices, Division of Occupations, 911 Leawood Drive, Frankfort, Kentucky.

The meeting adjourned at 2:00 p.m.

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**Approved**